

**REMARKS**

Claim 1 is amended herein and new claims 9-13 are presented. Support for the Amendment is found, for example, in the working example on page 112 of the present specification, page 25, line 23 to page 26, line 3, page 26, line 5, page 57, lines 1 to 3 and page 82, line 9 to page 83, line 4. No new matter is presented.

**I. Response to Obviousness-Type Double Patenting Rejection**

Claims 1-8 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 3 and 14 of co-pending Application No. 10/806,424.

A Terminal Disclaimer will be submitted in the near future to obviate the rejection.

**II. Response to Claim Rejection – 35 U.S.C. § 103**

Claims 1-8 are rejected under 35 U.S.C. § 103 over Kenworthy as applied in the Office Action dated September 1, 2005.

Applicants respectfully traverse the rejection and submit that the present invention is not obvious over Kenworthy et al.

Claim 1 is amended herein to recite that the aqueous medium of the ink contains glycerin as supported by the working examples in the present specification and the disclosure at pages 70-71.

As previously pointed out, Kenworthy et al does not disclose a water soluble dye represented by formula (I), in which a counter ion of the dye is specified as a lithium ion. Further, Kenworthy et al does not disclose, teach or suggest that the aqueous medium of the ink contains glycerin as recited in amended claim 1. Thus, Kenworthy et al does not disclose,

teach or suggest all elements of the presently claimed invention and there is no motivation to modify Kenworthy et al in this regard. Claims 2-13 depend, directly or indirectly, from claim 1 and are distinguished for at least the same reasons.

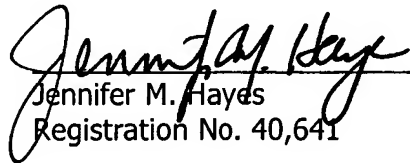
Accordingly, Applicants respectfully request withdrawal of the obviousness rejection.

### **III. Conclusion**

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

  
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**23373**

CUSTOMER NUMBER

Date: May 1, 2006